

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

IRMA PEREZ GUILLERMETY,

Plaintiff,

v.

CIVIL NO. 98-2332 (RLA)

UNITED STATES, UNITED STATES
POSTAL SERVICE,

Defendants.

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U.S. DISTRICT COURT
SAN JUAN, P.R.

MINUTES OF SETTLEMENT CONFERENCE
HELD ON AUGUST 26, 1999
AND SCHEDULING PRETRIAL CONFERENCE AND NON-JURY TRIAL

At the Settlement Conference held on August 27, 1999 from 4:30 p.m. to 5:05 p.m. plaintiff was represented by ANTONIO BAUZA, ESQ. and defendant by AUSA JAVIER SANTOS-MIMOSO.

Defendant advised that additional information was needed regarding plaintiff's responses to its interrogatories. Defendant shall specify these matters via a Local Rule 311.11 letter **no later than September 10, 1999.**

Plaintiff furnished opposing counsel with copy of a preliminary report from her expert. Counsel for plaintiff is not certain whether or not his client will be submitted to any further evaluation. A final expert report containing the information itemized in Rule 26(a)(2)(B) Fed. R. Civ. P. shall be submitted **on or before September 15, 1999.**

The attorneys will carry out an on-site inspection on **August 30, 1999 at 12:30 p.m.** accompanied by plaintiff. Defendant shall

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1 submit a report of the on-site inspection **no later than September**
2 **3, 1999.**

3
4 The depositions of plaintiff's treating physician and her
5 expert witness shall be taken **no later than September 24, 1999.**

6 The depositions of the parties and all fact witnesses shall be
7 taken **no later than September 30, 1999.**

8 Defendant shall announce its expert witnesses **no later than**
9 **September 3, 1999.** The reports are due **October 1, 1999.**

10 The deposition of defendant's expert witness(es) shall be taken
11 **no later than October 22, 1999.**

12 **PRETRIAL CONFERENCE**

13
14 A **PRETRIAL CONFERENCE**, to be held before the undersigned,¹ is
15 hereby scheduled for **January 25, 2000 at 2:30 p.m.** A Proposed Joint
16 Pretrial Order² shall be filed **on or before January 19, 2000**, and
17 shall contain the following:

18 **I. Nature of the Case**

19 A statement of the nature of the case agreed upon by
20 all parties which shall include issues of jurisdiction. In the
21

22
23
24 ¹ The parties shall contact the undersigned's chambers to
verify where the conference will be held.

25 ² A courtesy copy to be delivered directly to the chambers of
26 the undersigned.

1 event that the parties cannot agree upon a single description,
2 separate versions shall be submitted.

3 **II. Theories of the Parties**

4 Each party shall present concisely its pertinent
5 legal theories including applicable citations to statutes and
6 caselaw. Counsel are directed to fully disclose all trial
7 issues since the Proposed Joint Pretrial Order will supersede
8 the pleadings in establishing the issues to be heard and
9 considered at trial.
10

11 **III. Admitted Facts**

12 The parties shall provide a comprehensive listing of
13 all admitted or stipulated facts.

14 **IV. Contested Facts**

15 The parties shall provide a listing of contested
16 facts.

17 **V. List of Exhibits**

18 This section shall contain a listing of all exhibits
19 which have been pre-marked/numbered. Each exhibit shall be
20 identified by a descriptive title as well as its identification
21 number. The parties shall indicate those exhibits, if any,
22 which are not objected to by opposing counsel.
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VI. Depositions

The party wishing to use deposition testimony at trial shall list the depositions. Additionally, designations and objections shall be submitted in accordance with the undersigned's STANDING ORDER FOR CIVIL TRIALS issued on February 10, 1994.

VII. Witnesses and Interpreters

Each party shall identify witnesses to be presented at trial and include a brief, one paragraph, offer of proof.

Additionally, the parties shall specifically identify those witnesses who will need the services of a court-certified interpreter during trial.

VIII. Expert Witnesses and Interpreters

Each party shall list its expert witnesses and include his/her curriculum vitae and an offer of proof. If an expert report has been produced, the report shall be submitted in conjunction with the offer of proof. Additionally, the parties shall specifically identify those experts who will need the services of a court-certified interpreter during trial.

IX. Itemized Statement of Special Damages

In anticipation that the issue of special damages may arise, an itemized statement of special damages shall be incorporated into the Proposed Joint Pretrial Order. The party

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1 or parties not in agreement with the proposed statement shall
2 include its/their opposition in this section.
3

4 **X. Estimated Length of Trial**

5 Parties shall indicate the estimated length of trial.

6 The Proposed Joint Pretrial Order may be modified by this Court
7 only upon a showing of good cause.

8 **NON-JURY TRIAL**

9 **NON-JURY TRIAL** in this action hereby set for **February 1, 2000**
10 **at 9:30 a.m.**

11 The parties shall make the necessary arrangements with the
12 courtroom deputy clerk to have the evidence marked prior to trial.³
13

14 IT IS SO ORDERED.

15 San Juan, Puerto Rico, this 31st day of August, 1999.

16 

17 RAYMOND L. ACOSTA
18 United States District Judge
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25 ³ The parties shall furnish the undersigned an additional copy
26 of all documents intended to be presented as evidence at trial.

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SUMMARY OF DEADLINES AND SETTINGS

8/30/99 On-site inspection.

9/3/99 Deadline for filing on-site inspection report.

9/3/99 Deadline for defendant to identify expert witnesses.

9/10/99 Deadline for Rule 311.11 letter.

9/15/99 Deadline for plaintiff's expert reports.

9/24/99 Deadline for deposition of plaintiff's treating physician and expert witness.

9/30/99 Deadline for depositions of parties and fact witnesses.

10/22/99 Deadline for depositions of defendant's expert witnesses.

1/19/2000 Deadline for filing JOINT PRETRIAL ORDER.

1/25/2000 PRETRIAL CONFERENCE at **2:30 p.m.**

******** Parties to mark evidence prior to trial

******** Parties to provide the court copy of all documents intended to be presented as evidence at trial.

2/1/2000 NON-JURY TRIAL at **9:30 a.m.**